

permit area, or if the permittee has not complied with corrective requirements following revocation of a permit, it shall initiate forfeiture proceedings against the bond or other security filed by the [operator] PERMITTEE.

7-6A-26.

(a) An operation is considered abandoned if no mineral has been produced or overburden removed for a period of one year, and the [operator] PERMITTEE has vacated the site of the operation covered by the permit without having complied with all the requirements of the mining and reclamation plan, verified by inspection and written report made by the Department. If the [operator] PERMITTEE, within 30 days after receiving notification from the Department terming the operation abandoned, does not submit sufficient evidence to the Department that the operation in fact is not abandoned and a reasonable timetable satisfactory to the Department regarding plans for the reactivation of the operation, the Department shall declare the operation abandoned and initiate legal proceedings against the [operator] PERMITTEE.

(b) An operation is considered halted if active work has ceased temporarily due to weather conditions, market conditions, or other reasonable cause explained in writing by the [operator] PERMITTEE to the satisfaction of the Department, and accompanied by a statement that the [operator] PERMITTEE fully intends to resume active operation when the adverse conditions have passed. All necessary pollution controls shall be properly maintained during this period. No operation may be halted for a period exceeding 24 consecutive months[, after which time mining activity shall be resumed or final reclamation work shall be commenced]. On failure of the [operator] PERMITTEE to resume mining or initiate reclamation, the Department shall declare the operation abandoned and initiate legal proceedings against the [operator] PERMITTEE.

7-6A-27.

(a) On completion of reclamation of an area of affected land, the [operator] PERMITTEE immediately shall notify the Department. The Department shall make an inspection of the area, and if it finds that the [operator] PERMITTEE has not completed to the Department's reasonable satisfaction all the reclamation required by the permit, the Department shall order the [operator] PERMITTEE to do so at once and shall reinspect the area following completion of the work. If the Department finds that reclamation has been completed properly AND IF THE DEPARTMENT HAS RECEIVED THE FINAL RECLAMATION REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, it shall notify the [operator] PERMITTEE in writing and release [him] THE PERMITTEE from further obligations regarding the affected land. At the same time it shall release all or the appropriate portion of any performance bond or cash deposit which the [operator] PERMITTEE has posted under § 7-6A-20 OF THIS SUBTITLE.